

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOHN P. “JACK” FLYNN
LESLIE A. FLYNN,

Case: 1:21-cv-02587-AS-SLC

Plaintiffs,

- against -

CABLE NEWS NETWORK, INC.,

Defendant.

**DECLARATION OF DONIE O’SULLIVAN IN SUPPORT OF CNN’S MOTION FOR
SUMMARY JUDGMENT**

I, Donie O’Sullivan, declare as follows:

1. I am over the age of eighteen, am a resident of New York, New York, and am competent to make this declaration. I have personal knowledge of the statements set forth below. I submit this declaration in support of the motion by defendant Cable News Network, Inc. (“CNN”) for summary judgment in this action (the “Motion”).

2. I am currently a correspondent for CNN covering the intersection of politics and technology. I have worked at CNN since June 2016.

3. I pitched, wrote the script, and determined the main elements that were included in the CNN report at the center of this lawsuit, which first aired on CNN Tonight at 10:45 PM ET¹ on February 4, 2021, and was titled “Watch CNN Go Inside a Gathering of QAnon Followers” (the “Report”). A true and correct copy of the Report, CNN002006, is attached as **Exhibit 1** to the Declaration of Katherine M. Bolger in support of the Motion (“Bolger Declaration”). All

¹ All timestamps referred to in this declaration are in ET, unless otherwise noted.

further references to “**Exhibit _**” in this declaration refer to the numbered exhibits attached to the Bolger Declaration.

4. I believed the Report was accurate at the time I published it, and I did not depart from the standards of care associated with responsible journalism in creating and publishing the Report.

Background in Journalism

5. I have nearly 10 years of journalism experience. At CNN, I regularly publish news articles, prepare television news packages, and appear on air as a correspondent on CNN news broadcasts like CNN Tonight, CNN Newsroom, CNN This Morning, Anderson Cooper 360, The Situation Room with Wolf Blitzer, and Erin Burnett OutFront.

6. I graduated from University College Dublin in 2012 with a Bachelor of Arts (B.A.) in History and Politics and International Relations. I received a Master of Arts (M.A.) in Legislative Studies and Practice from Queen’s University Belfast in 2013.

7. Between 2014 and 2016, I worked at Storyful, a social media news agency start-up that verifies videos, images, and breaking news.

8. I first joined CNN in 2016 as a writer-producer for CNN’s Social Discovery team, where I helped verify social media images and video from hundreds of breaking news stories around the world. I subsequently joined CNN Business as a reporter, where I have worked with CNN’s investigative unit to report on online misinformation and disinformation, social media, and conspiracy theories, including QAnon.

9. I have published numerous articles and television reports about QAnon over the years, including those that report on the origins of QAnon, the importance of social media to

QAnon, key figures and heroes of the QAnon movement, and common QAnon phrases and slogans, including “Where We Go One, We Go All” (also known as “WWG1WGA”).

10. I have spoken at numerous and international conferences, including the Council on Foreign Relations, the Aspen Institute and a number of cyber security events, including DEF CON and the RSA Conference.

11. I have also received a 2020 Emmy Award nomination for “Outstanding Live Interview” as part of the producing team for the interview of Facebook’s Monika Bickert on Anderson Cooper Full Circle.

My Knowledge of and Reporting on QAnon

12. In 2017, I began following the QAnon movement. I knew that it had some shared origins with a predecessor conspiracy theory, Pizzagate, which speculated that the Democratic Party was running a child sex trafficking ring out of a Washington, D.C., pizzeria. I was familiar with the Q persona, who beginning in October 2017 started posting coded messages on internet forums like 4chan, and later 8chan and 8kun (known as “Q Drops”), which were then often reposted, shared, and analyzed on more mainstream online platforms like Reddit and Twitter. In the early years of QAnon, I was concerned about reporting on it because I was hesitant to give unwarranted publicity to its conspiracy theories and misinformation. By approximately summer 2020, however, QAnon had moved more into the mainstream, and major political figures like President Trump and other Republican figures had started implicitly or explicitly supporting QAnon in the lead-up to the 2020 presidential election. Social media companies like Facebook and Twitter had also started taking action to remove QAnon-associated accounts. At that point, I decided QAnon was newsworthy and began to pursue stories about QAnon, its belief system, and the individuals and families it affected.

13. Over time I came to learn several key features of the movement that I described at my deposition. For example, I discovered through my reporting and interviews that QAnon supporters and followers did not share one universal, rigid, and core set of beliefs. I learned that an individual did not have to adhere to any prescribed set of beliefs, like a “Ten Commandments,” in order to be a QAnon supporter or follower. Instead, I understood that the QAnon belief system is highly malleable and has evolved over time in response to social and political events, such as the COVID-19 pandemic and the 2020 presidential election. For example, a great deal, but not all, of QAnon followers believe that the Q persona is an anonymous, high-ranking intelligence insider, while others speculate it is multiple people. I learned that some QAnon followers believe that the U.S. government is controlled by a cabal of Satanic pedophiles, or that John F. Kennedy, Jr. is still alive, or that Hollywood and Democrat elites take “adrenochrome,” a psychedelic drug harvested from children’s blood. But I also met many self-professed QAnon supporters who do not believe any of those things, and instead focus on more “mainstream” tenets related to support for former President Trump, the anti-vaccination movement, or 2020 election fraud. I met some who embrace the term “QAnon” to describe the movement, while others claim there is only “Q” – the persona that posts the Q Drops – and “Anons,” those that follow and decode the Q Drops.

14. I also found in my reporting and interviews that the QAnon movement has certain heroes, the most prominent of which are President Trump and General Michael Flynn. Both individuals are explicitly referenced in many Q Drops and, at the time I prepared the Report, to my knowledge neither figure had explicitly disavowed QAnon.

15. In addition, I also learned that the QAnon movement relies on the sharing of memes, hashtags, and iconography associated with QAnon on social media, as well as the use of certain phrases and slogans. Of those slogans, I became familiar early on with the main QAnon

slogan, which is “Where We Go One, We Go All” or in its shortened interchangeable form, “WWG1WGA.”

16. The use and sharing of the “Where We Go One, We Go All” slogan is a consistent part of the QAnon movement. At many of the QAnon events and Trump presidential rallies I reported on, I personally saw QAnon supporters sporting apparel or hoisting flags that included “WWG1WGA,” “Where We Go One, We Go All,” and a giant “Q.” I saw and reported on vendors at both QAnon events and Trump rallies selling QAnon merchandise containing the WWG1WGA slogan.

17. I knew that the phrase “Where We Go One, We Go All” was first used in Q Drop #513 on January 8, 2018, after which the Q persona used it or its shortened form “WWG1WGA” in several Q Drops over the years. I was aware that the phrase originally came from a movie called “White Squall” released in the 1990s, but to my knowledge it had virtually no other popular usage until the Q persona revived the phrase in Q Drop #513. A true and correct copy of Q Drop #513 is attached as **Exhibit 80**.

18. I was also aware that many QAnon supporters mistakenly believe that the slogan originated from a bell on former President John F. Kennedy’s sailboat, but that claim itself is QAnon misinformation and can be traced back to Q Drops. On April 19, 2018, Q Drop #1183 misattributed WWG1WGA to “JFK”. And on April 9, 2020, Q Drop #3924 posted a picture of WWG1WGA on a bell that was from “White Squall,” not Kennedy’s sailboat. A true and correct copy of Q Drop #1183 is attached as **Exhibit 81**, and a true and correct copy of Q Drop #3924 is attached as **Exhibit 83**.

19. I also knew prior to the Report that General Flynn and his family had used QAnon memes and iconography to fundraise for General Flynn’s legal defense fund.

The July 4, 2020, Twitter Video and Subsequent Reporting

20. On June 24, 2020, the Q persona posted Q Drop #4510 on 8kun, directing readers to participate in what became known as the #TakeTheOath movement, which trended on social media. The Q Drop listed the following oath: “ I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God. WWG1WGA,” followed by the accompanying directive from the Q persona to “Take the oath. Mission forward. Q[.]” At that time, I was aware of Q Drop #4510 and the viral #TakeTheOath movement it spawned on social media. The #TakeTheOath hashtag came from Q’s use of “Take the oath” in the Q Drop. A true and correct copy of Q Drop #4510 is attached as **Exhibit 85**.

21. Ten days later, on July 4, 2020, General Michael Flynn posted on Twitter a 53-second video of himself, along with his brothers Plaintiff Jack Flynn (“Jack”) and Joe Flynn, his sisters-in-law Plaintiff Leslie Flynn (“Leslie”) and Valerie Flynn, and his wife Lori Flynn, holding up their hands and reciting the identical oath contained in Q Drop #4510, including ending with “Where We Go One, We Go All” (the “Oath Video”). General Flynn used the hashtag #TakeTheOath (the same words used in Q Drop #4510) and tagged several of his family members’ Twitter handles in his Twitter post, including Jack (“@GoJackFlynn”). I watched the Oath Video at that time, and I was aware that some of General Flynn’s family members, including Jack, shared General Flynn’s tweet. A true and correct copy of the Oath Video is attached as **Exhibit 2**, and a true and correct copy of General Flynn’s July 4, 2020, tweet is attached as **Exhibit 38**.

22. Based on my reporting, I was aware that for those within the QAnon movement, General Flynn and his family's participation in the #TakeTheOath trend and recitation of the central QAnon slogan "WWG1WGA" was seen as public validation of QAnon and was highly significant to them as a signal of the Flynn's support of QAnon.

23. Shortly after General Flynn posted the Oath Video, many news outlets, including CNN, widely reported that General Flynn had posted a video featuring the QAnon slogan "WWG1WGA." For example, on July 7, 2020, my colleague Marshall Cohen published a story on CNN titled "Michael Flynn posts video featuring QAnon slogans," available at <https://www.cnn.com/2020/07/07/politics/michael-flynn-qanon-video/index.html>, describing that General Flynn posted a video in which he is "seen using phrases and slogans that are hallmarks of the baseless QAnon conspiracy movement" and that he "tagged his post with a QAnon hashtag." The story embedded a clip from the Oath Video, which included General Flynn, his brother Jack, his sister-in-law Leslie, and their family members, reciting "Where We Go One, We Go All." Mr. Cohen reported that the post included the hashtag #TakeTheOath, which General Flynn had "recently added to his Twitter bio as well," and that General Flynn's tweet contained thousands of replies, many from "self-identified QAnon supporters who thanked Flynn for his comments, used the same hashtag or posted clips of their own oaths." The article reported how "these elements of Flynn's post – the oath, paired with the catchphrase and hashtag – are distinctive to the QAnon movement and are used widely by its followers[.]" Finally, the article reported "Members of Flynn's family previously posted QAnon hashtags," with a link to other reporting.

24. The article also included General Flynn's lawyer Sidney Powell's response both to CNN and another news outlet, the Washington Examiner, claiming that the phrase "Where We Go One, We Go All" was "first engraved on a bell on one of President John F. Kennedy's sailboats."

But as QAnon experts stated in the article, and I was aware, that misattribution of the phrase to President Kennedy's boat is itself a QAnon belief. I read Mr. Cohen's story at the time it was published and believed it was fair and accurate. A true and correct copy of Marshall Cohen's July 7, 2020, CNN article is attached as **Exhibit 92**.

25. I was aware that CNN was not the only outlet to report that Jack, Leslie, General Flynn, and their family members had taken a QAnon oath. I also recall reviewing The Washington Examiner's July 5, 2020, article, "Michael Flynn recites oath of office using slogan associated with QAnon," available at <https://www.washingtonexaminer.com/news/michael-flynn-recites-oath-of-office-using-slogan-associated-with-qanon>, and Sidney Powell's quoted response. The Washington Examiner similarly reported that General Flynn and those in the video "quot[ed] a popular QAnon slogan – 'Where we go one, we go all!'" and that the "'Take The Oath' movement appears to have started online sometime in late June." I believed this article to be fair and accurate. A true and correct copy of the July 5, 2020, Washington Examiner article is attached **Exhibit 93**.

26. Between July 4, 2020, and when the Report first aired on February 4, 2021, over 40 other news articles reported that the Flynn's had taken a QAnon oath and used the QAnon slogan "WWG1WGA." Many of these articles embedded General Flynn's tweet with the video showing each member of the Flynn family that participated in the QAnon oath, including Jack, Leslie, Lori Flynn, and Valerie Flynn, while others included the standalone video itself or a screenshot from it. I was familiar with these news reports and believed them to be fair and accurate. A list of articles linking the Flynn's video to QAnon is attached as **Exhibit 91**.

27. Some of the articles specifically listed some of the Flynn family members who appeared in the video and were tagged in General Flynn's post, including Jack and General Flynn's wife, Lori Flynn. For example, on July 6, 2020, Salon published an article titled, "Mike Flynn

swears allegiance to QAnon in Fourth of July video,” available at <https://www.salon.com/2020/07/06/mike-flynn-swears-allegiance-to-qanon-in-fourth-of-july-video/>. The article stated that General Flynn’s #TakeTheOath Twitter post “tagged his wife Lori Andrade, his brothers Jack [and] Joseph, his sisters Barbara Redgate, and Mary O’Neill[.]” A true and correct copy of the July 6, 2020 Salon article is attached as **Exhibit 94**.

28. Similarly, on July 5, 2020, The Daily Mail published an article titled, “‘Where We Go One We Go All’: General Michael Flynn celebrates July 4th by leading his friends in reciting the oath to the Constitution AND the slogan for QAnon conspiracy theorists,” available at <https://www.dailymail.co.uk/news/article-8491799/General-Michael-Flynn-leads-friends-reciting-oath-Constitution-QAnon-slogan-July-4th.html>. The article stated General Flynn “tagged several people in his tweet, including his attorneys Sidney Powell and Molly McCann, his sisters Barbara Redgate and Mary O’Neill, brothers Joseph and Jack Flynn and his wife Lori Andrade.” A true and correct copy of the July 5, 2020, Daily Mail article is attached as **Exhibit 95**.

29. I was also aware prior to the Report that Media Matters for America published an article titled, “Here are the QAnon supporters running for Congress in 2020.” The article described that several congressional candidates in the 2020 elections “endorsed or gave credence to the [QAnon] conspiracy theory or promoted QAnon content,” including those that tweeted or retweeted the “QAnon slogan,” “Where We Go One, We Go All” or “WWG1WGA” as well as the Flynn’s Oath Video and other #TakeTheOath videos. A true and correct copy of the Media Matters article is attached as **Exhibit 87**.

30. In my own subsequent reporting prior to the Report, I frequently referred to Mr. Cohen’s story and General Flynn’s posting of a video with his family members reciting the QAnon slogan. For example, on July 22, 2020, I published an article on CNN titled “Twitter tries to catch

the QAnon horse that bolted,” available at <https://www.cnn.com/2020/07/22/tech/qanon-twitter-ban-analysis/index.html>. In that article, I described Twitter’s removal of QAnon accounts and stated that “Michael Flynn, Trump’s first national security adviser, posted a video earlier this month in which he used phrases and slogans that are hallmarks of the QAnon movement,” and linked to Mr. Cohen’s story. A true and correct copy of my July 22, 2020, article is attached as **Exhibit 96**.

31. On November 24, 2020, I published an article on CNN titled “Sidney Powell is a beacon of hope to sad Qanon supporters,” available at <https://www.cnn.com/2020/11/24/business/sidney-powell-qanon/index.html>. In that article, I described that General Flynn is known as a “QAnon hero,” stated that, “[i]n July, Flynn posted a video where he takes an oath after which he repeats phrases and slogans that are hallmarks of QAnon,” and again linked to Mr. Cohen’s story. A true and correct copy of my November 24, 2020, article is attached as **Exhibit 97**.

Attending Q Con Live!

32. In mid-October 2020, I learned that a QAnon convention called Q Con Live! would be taking place on October 17, 2020 in Scottsdale, Arizona. I saw that Jim Watkins, the 8kun board owner, was listed as one of the convention’s speakers, and I was intrigued to meet the man that some alleged was behind the Q Drops. I was torn on whether there would be anything newsworthy to report from the event, but I was persuaded to attend after former President Trump refused to disavow QAnon in an NBC town hall with Savannah Guthrie on October 15, 2020. I anticipated that the Q Con Live! attendees would have strong opinions about President Trump’s statements and believed that would be worth investigating.

33. I discussed my intention to attend Q Con Live! with my editor at the time, Alex Koppelman, who along with our security director, advised that I be accompanied by a security agent to the event. As I stated at my deposition, at that point prior to the 2020 election, it had become standard practice for CNN journalists to bring security when going to any political events. Q Con Live! also had restrictions on media, but I registered for the convention using my full name and work email address. Given Q Con Live!'s media restrictions, I also received approval to attend the convention from CNN's three independent departments that are referred to in shorthand as the Triad, which is comprised of: the Row, which is the editorial oversight department; Standards and Practices, which is the department dedicated to ensuring ethical and professional standards in CNN's journalism as embodied in CNN's News Standards and Practices Policy Guide; and Legal, which reviews stories for legal concerns.

34. On October 17, 2020, I traveled to Arizona and attended Q Con Live!, which was divided into several sessions featuring important speakers in the QAnon movement, including the event's guest hosts Jeffrey Pedersen, known online under the username @inthematrixxx, and the man known online as @ShadyGrooove. Mr. Pedersen and @ShadyGrooove are co-hosts of The Matrixxx Grooove Show (or MG Show), an online radio show/podcast dedicated to decoding Q Drops and discussing QAnon theories and beliefs. Other speakers included Jim Watkins, Alan Hostetter, Dave Hayes, known online under the username "Praying Medic," many of whom made money from QAnon, whether through online shows, QAnon merchandise, or self-published books. One of the attendees was the so-called QAnon Shaman, aka Jacob Chansley, who carried a sign that said "Q Sent Me!" and was draped in a flag emblazoned with "Where We Go One, We Go All" and an enormous "Q," a nod to the Q persona.

35. As I anticipated, the Q Con Live! speakers played former President Trump's townhall statements refusing to disavow QAnon to a cheering room. Some speakers told the audience that reelection of President Trump was necessary so that the QAnon prediction of arresting people like Hillary Clinton could come true. The importance of President Trump – and the looming presidential election – to the QAnon conspiracy theory was clear to me.

36. In addition, I heard one of the speakers, Praying Medic, reference General Flynn multiple times. Praying Medic told the audience to follow General Flynn's exhortation not to abandon the digital battlefield of social media, and also stated that the Q persona has hinted that General Flynn was going to be the next FBI director.

37. While I was at Q Con Live!, I also saw and heard repeated references to the phrase "Where We Go One, We Go All" as a QAnon slogan. In addition to the words on the so-called QAnon Shaman's flag, I heard musician J.T. Wilde perform his QAnon song titled, "Where We Go One, We Go All." Prior to Wilde's performance, I saw Pedersen ask if someone lost a cell phone with the text "WWG1WGA" on the case. I did not see any other one slogan used or relied upon at Q Con Live! as frequently as "Where We Go One, We Go All." After attending Q Con Live!, it was even clearer to me that the WWG1WGA slogan was the central QAnon phrase.

38. Two days after Q Con Live!, on October 19, 2020, I published an article on CNN titled "A CNN reporter went to two different QAnon events. Here's what he found," available at <https://www.cnn.com/2020/10/19/tech/qanon-events-cnn-reporter/index.html>. The article recounted my time at two recent QAnon events, Q Con Live! and a march in Los Angeles. While reporting from the QAnon march in Los Angeles, I saw several signs and flags including "WWG1WGA." In that article, I noted that a facet of the QAnon movement can be "not to explicitly embrace the QAnon conspiracy theory even as [supporters] implicitly signaled they

support it and repeated its disinformation – much like what President Donald Trump did during [the] NBC town hall last week.” I also reported that Q Con Live! was “an example of how the community of QAnon believers has come to embrace many other seemingly unrelated conspiracy theories, and of how willing those believers are to see everything as a sinister move by the ‘cabal’ that must be fought against[.]” A true and correct copy of my October 19, 2020, article is attached as **Exhibit 98**.

Preparing the Report

39. At the time I prepared the Report, I did not have a fixed process for pitching and publishing my stories because I was not based out of any one news unit; I generally develop my own story ideas. Given my position as a “floater,” so to speak, I had a number of CNN editors and producers who I would approach with story pitches on any given day. If the approved story was a television news package, then I would generally be assigned a producer and editor to work with me on assembling the package. My standard practice for television stories was to write the script for the package, which would include descriptions and timecodes of voiceover and graphic elements to be used in the package. At my direction, a producer and editor would then typically mechanically assemble the package using videos, photographs, or any other elements that I had selected. If the package was airing on a broadcast, then the final package would then be sent to the show prior to airing. My preparation of the Report followed this standard practice.

40. On January 6, 2021, I was reporting for CNN at the “Save America” rally held in Washington, D.C., by former President Trump in which he declared that he would not concede the 2020 election, advocated for former Vice President Mike Pence to overturn the election results, and called for his supporters to go down to the Capitol. During and after the January 6 attack on the U.S. Capitol, I reported from the Capitol grounds, where I interviewed Trump supporters, many

of whom were also QAnon supporters. I saw several QAnon supporters on the Capitol grounds that day wearing apparel or waving flags with “Where We Go One, We Go All,” “Q”, and other QAnon phrases and iconography.

41. I later became aware that some of the individuals who had attended Q Con Live! who expressed support for President Trump were also in attendance at the January 6 Capitol attack. I had an idea to put together a package that would use footage from Q Con Live! as a retrospective news report showing what QAnon supporters were saying in the lead up to January 6, including that they believed they were supported by President Trump.

42. A few weeks later, on February 1, 2021, I sent a text message pitching what ultimately became the Report to Philippa Holland, who at the time was an executive producer on CNN Tonight, a news program that airs from 10 PM-12 AM nightly on CNN. At the time, I frequently appeared on CNN Tonight, and I would often pitch stories to Ms. Holland. I informed Ms. Holland that I had attended Q Con Live! in October 2020, and that I was planning to review the video from the event, as I had discovered that at least one of the attendees at Q Con Live! “went on to be involved in the storming of the Capitol[.]” I told Ms. Holland that I would email her a more detailed summary and pitch, and Ms. Holland told me that it “sounds really good.” Later that day at 11:57 PM, I sent a text message to Ms. Holland telling her that I would be in touch the next day about the pitch, and that the story might be timely and newsworthy after the January 6 Capitol attack and ahead of former President Trump’s second impeachment trial “as it shows how much Q followers looked to Trump.” A true and correct copy of my text messages with Ms. Holland, CNN001070-1086, are attached as **Exhibit 11**.

43. On February 2, 2021, at approximately 2:36 PM ET,² I emailed Ms. Holland with the formal pitch for the Report. A true and correct copy of my email to Ms. Holland, CNN000689, is attached as **Exhibit 12**.

44. On February 2, 2021, at approximately 5:58 PM, Ms. Holland emailed me with the subject line, “We are ALL IN for the Qanon meeting piece for Thursday!” and approved my story pitch to air on CNN Tonight on Thursday, February 4, 2021. I told Ms. Holland, “I think this piece will make some news. It demonstrates the Trump-Q dynamic in a way that I don’t think has been shown before.” A true and correct copy of my emails with Ms. Holland, CNN001442, is attached as **Exhibit 13**.

45. The next day, on February 3, 2021, I began assembling the Report. At approximately 8:41 AM, I sent a Slack message to Amanda Hobor, a senior planning editor for CNN Business, to initiate the process of getting a producer/editor assigned to the Report. I told Ms. Hobor that I would work on the general outline for the Report that day, but that I would need assistance ingesting the Q Con Live! videos into CNN’s internal system so that I could determine which clips I wanted to use in the Report. At approximately 3:05 PM, Ms. Hobor told me that Ashley Van Sant had been assigned as the producer on the Report and that she would be available to start working on it the next day. A true and correct copy of my Slack messages with Ms. Hobor, CNN001238-CNN001242, are attached as **Exhibit 14**.

46. On February 4, 2021, at approximately 8:55 AM, I emailed Ms. Van Sant and Tiffany Anthony (another producer who had been assigned to the Report) with a list of the main elements to be included in the Report. The elements I had identified for inclusion in the Report at this time were videos from Q Con Live!; footage from an interview I planned to conduct with

² I also understand that in this litigation, top-line emails have been produced in UTC time, while all subsequent emails in the chain have been produced in Eastern Standard Time.

Travis View, the host of the podcast QAnon Anonymous who had also attended Q Con Live!; and B-roll video footage of QAnon signs and the January 6 Capitol attack. I also informed them that I would send a rough draft of the Report script shortly. A true and correct copy of this email, CNN001602-CNN001604, is attached as **Exhibit 15**.

47. Shortly after, at approximately 9:46 AM, I sent Ms. Van Sant and Ms. Hobor a rough script outline for the Report. A true and correct copy of this email, CNN000901-CNN000902, is attached as **Exhibit 16**. In this initial draft, the Report opened with footage from Q Con Live! showing J.T. Wilde playing his song, “Where We Go One, We Go All” followed by my voiceover track stating the following: “Where We Go One We Go All...an infamous QAnon slogan...promoted by Trump’s first national security adviser Michael Flynn.” I then directed that the script include a clip from the Oath Video: “Where we go one we go all . . . Where we go one we go all.” The script then included this voiceover: “...And played as an anthem at this...a gathering of QAnon followers in Arizona just two weeks before November’s election.”

48. By including the voiceover referencing General Flynn and a clip from the Oath Video, I intended to show how the “Where We Go One, We Go All” QAnon slogan used at the Q Con Live! gathering in October 2020 had also been promoted by a mainstream political figure like General Flynn in a video he himself posted to Twitter. As I routinely do when selecting audio or video clips for news packages, I exercised my editorial judgment to select the portion of the Twitter video featuring General Flynn’s recitation of “Where We Go One, We Go All,” because that was the newsworthy aspect of the video that I wanted to feature in the Report. I had initially intended to include both General Flynn’s recitation “Where We Go One, We Go All,” and his family’s repeating of it, but I subsequently decided that the newsworthy aspect was General Flynn’s use of the phrase.

49. I thought it was highly significant that several months prior to the 2020 presidential election, General Flynn had posted a video on Twitter in which he recited verbatim the QAnon slogan as part of the online #TakeTheOath movement called to action in Q Drop #4510. As I stated at my deposition, I therefore used the clip to contextualize Q Con Live! within broader U.S. politics. The fact that General Flynn's family members were pictured in the Oath Video was secondary; my focus in using that clip was on General Flynn. In any event, I used the Twitter video in exactly the same way General Flynn did. I believed then, as I believe now, that my decision to select a portion of the Oath Video used in the Report was fair and accurate.

50. To the best of my knowledge, the individual who mechanically created that clip was most likely the editor assigned to the Report, Lee Burack.

51. I did not see any reason to seek comment from Jack, Leslie, or any of the other Flynn family members pictured, because the Report merely used the Oath Video in exactly the same way it was originally posted by General Flynn on Twitter and shared by his family. In the intervening months, Jack, Leslie, General Flynn, Lori Flynn, Joe Flynn, and Valerie Flynn had not taken any steps to remove the Oath Video, publicly distance themselves from it, or repudiate the video or QAnon in any way. I simply used a relevant portion of the clip in the same fashion that General Flynn had publicly posted it seven months prior, ten days after a Q Drop instructing its audience to take the identical oath.

52. Moreover, Mr. Cohen's July 7, 2020, CNN story included comment from General Flynn's lawyer about the origins of the "WWG1WGA" slogan that only spread further QAnon misinformation.

53. Finally, the Report did not reference Jack or Leslie in any way. Indeed, in the clip I selected for the Report, only General Flynn is seen reciting "Where We Go One, We Go All,"

and only General Flynn is referenced in my voiceover, whereas in the original video, Jack and Leslie are also shown reciting the full oath.

54. I also did not see any reason to obscure the faces of Jack, Leslie, or the other Flynn family members beside General Flynn in the clip I selected. General Flynn himself had posted this video publicly, with the clear willing participation in the video by Jack, Leslie, and the other Flynn family members. Jack and Leslie were adults. The clip I selected did not show any private information or feature an anonymous source. Our decision not to blur the faces of adult, consenting participants in a video that General Flynn posted, and his family members reposted, to social media seven months prior was consistent with standard CNN journalistic practice.

55. At approximately 10 AM, I interviewed Mr. View for the Report. Since he attended Q Con Live! and has expertise in QAnon from his podcast, I thought his perspective would be a valuable addition to the Report, particularly to address the link between President Trump's support for QAnon and what happened on January 6.

56. At approximately 12:33 PM, Ms. Van Sant sent me a draft of the script based on my outline that included timestamps for the various graphic elements I had directed be included in the Report, for example, clips from General Flynn's Twitter video and President Trump's NBC town hall. A true and correct copy of this email, CNN000892-CNN000893, is attached as **Exhibit 17**.

57. At approximately 12:58 PM, I sent Ms. Van Sant an edited version of the script she had sent me. In this draft, I further described who was in the room at Q Con Live!, including Jim Watkins, the so-called QAnon Shaman, and Alan Hostetter. I decided to include additional Q Con Live! footage that showed these individuals, as well as me wearing a mask. I also selected the clips I wanted to use from the interview with Mr. View. In this round of revisions, I also decided

to end the Report with the chorus from the same J.T. Wilde performance at Q Con Live! of “Where We Go One We Go All” I used earlier in the Report. A true and correct copy of this email, CNN000894-CNN000896, is attached as **Exhibit 18**.

58. At approximately 1:46 PM, Ms. Van Sant sent the CNN Tonight editorial team the version of the script I had sent her at 12:58 PM, so that they could get an initial sense of the Report. Maria Spinella, a CNN Tonight executive producer, suggested that I “pump up” the opening to emphasize my access to the Q Con Live! gathering, which she thought was “intriguing for the audience[.]” I agreed and decided to edit the Report script accordingly. A true and correct copy of these emails, CNN000888-CNN000891, is attached as **Exhibit 19**.

59. At approximately 3 PM, Ms. Anthony signed on for her producer shift and replaced Ms. Van Sant to assist in production of the Report.

60. At approximately 3:16 PM, I circulated a script with a revised opening, per Ms. Spinella’s suggestion. I opened the piece with footage from Q Con Live! speakers discussing the media at the gathering, for example, that there was a “media blackout” at the event and criticism of masks. I also moved the description of a “gathering of QAnon followers in Arizona” to the opening section of the Report to state: “You might think wearing a face-mask would help an undercover journalist . . . but not at this gathering of QAnon followers in Arizona just two weeks before November’s election.” Ms. Spinella told me she liked the new opening and also suggested showing the so-called QAnon Shaman in the Q Con Live! footage with voiceover describing his participation in the January 6 Capitol attack. I also told Ms. Spinella that I thought it would surprise the audience that “QAnon was this organized and this popular and this real long before January 6th.” A true and correct copy of these emails, CNN000143-CNN000149, is attached as **Exhibit 20**.

61. As part of CNN's review process to ensure that published stories are fair and accurate, I sent the 3:16 PM version of the Report script to the Triad. Fuzz Hogan reviewed the Report script for the Row; Emma Lacey-Bordeaux reviewed for Standards and Practices; and Steve Kiehl reviewed for Legal.

62. We have withheld edits by Mr. Kiehl, if any, as protected by the attorney-client privilege.

63. Ms. Lacey-Bordeaux suggested that I substitute "unnoticed" for "undetected" in the following line, so as not to imply that I attended Q Con Live! in any, as she put it, "nefarious" manner: "You might think wearing a face mask would help a journalist go undetected . . . but not at this gathering of QAnon followers in Arizona just two weeks before November's election." I agreed with this suggestion. She also confirmed with me that the video of the Q Con Live! event would be attributed so it was clear that CNN had not taken the video. A true and correct copy of Ms. Lacey-Bordeaux's email, CNN000339, is attached as **Exhibit 21**. I understand that the rest of this email chain was withheld as privileged because it reflects legal advice. Other than that note from Ms. Lacey-Bordeaux, and the legal notes that I understand are privileged, the Triad had no other edits or concerns with the Report script, and in my understanding, believed it to be fair and accurate.

64. At approximately 6:33 PM, the Report script was approved by the Row and Standards and Practices.

65. At approximately 6:34 PM, it is my understanding that Ms. Holland sent the final Report script to CNN Tonight. A true and correct copy of the final script, CNN000691-CNN000693, is attached as **Exhibit 22**.

66. At approximately 9:15 PM, I tweeted a preview of the Report: “On @CNNTonight in the 10p ET hour: Inside a pre-election meeting of the QAnon faithful and how they interpreted Trump’s comments as an endorsement of their beliefs. New reporting with help from the team at @QanonAnonymous,” along with a picture of the so-called QAnon Shaman I had taken at Q Con Live!. I posted this tweet to inform my followers that I had a new story coming out that evening, as I typically do in advance of any new reporting. A true and correct copy of this February 4, 2021, tweet is attached as **Exhibit 99**.

67. At approximately 9:16 PM, I sent a text message to Ms. Holland containing a link to my 9:15 PM tweet with a light-hearted joke, “Obviously this tweet will send ratings sky rocketing.” Ms. Holland joked back, “Huuuge!! Love it!!” Because Ms. Holland is a friend as well as a work colleague, I sent her this private, tongue-in-cheek text message in jest and did not intend to suggest in any way that my tweet would have any impact on CNN’s ratings. Nor do I understand Ms. Holland to have interpreted my text message in that way. *See Ex. 11*.

68. As I stated at my deposition, I did not produce the Report with any objective to impact CNN’s ratings, nor do I have any insight or knowledge either of CNN’s ratings in general or CNN’s ratings related to the Report. At the time, I had the freedom to tell stories that I felt were of national importance and the Report was one such story. At the time of the Report, I had approximately 205,000 Twitter followers. At the time General Flynn and Jack shared the Oath Video, they had approximately 776,000 Twitter followers and 108,000 Twitter followers, respectively.

69. At approximately 9:52 PM, Mr. Burack and Ms. Anthony sent me the cut of the Report to review. After reviewing, I pointed out two small errors of the wrong photographs used

for Alan Hostetter, which were promptly corrected. A true and correct copy of these emails, CNN001326-CNN001327, is attached as **Exhibit 23**.

70. At approximately 10:35 PM, Ms. Anthony emailed CNN Tonight and me stating that the Report had been published and was ready to air. She also included the font credits necessary for the various graphic elements used in the piece. I had told Ms. Anthony not to include the font credits for footage taken from Q Con Live!, as I did not want to direct CNN viewers to a site to a QAnon website that I believed published disinformation. A true and correct copy of these emails, CNN000752-CNN000757, is attached as **Exhibit 24**.

71. At approximately 10:45 PM, the Report aired on CNN Tonight with Don Lemon. Immediately after the Report aired, I appeared live on CNN Tonight to answer Mr. Lemon's interview questions about the Report, my attendance at Q Con Live!, and the intersections between QAnon, President Trump, and U.S. politics. *See Ex. 1*.

72. At approximately 12:01 AM on February 5, 2021, I tweeted a follow-up to my 9:16 PM tweet with a link to the Report as published online on CNN Business. The Report, as published on CNN Business, had the headline "Watch CNN go inside a gathering of QAnon followers," and the following description: "CNN's Donie O'Sullivan went inside a gathering of QAnon followers in Arizona, just a couple of weeks before the 2020 election." A true and correct copy of this February 5, 2021 tweet is attached as **Exhibit 100**.

The Report's Chyron

73. I saw the as-aired version of the Report when it was posted online on CNN Business late in the evening of February 4, 2021, after I appeared live on CNN Tonight. At that time, I became aware that for the entirety of the Report, including the interview with Travis View, a

banner stating “CNN goes inside a gathering of QAnon followers” appeared on the lower third of the screen (the “Chyron”).

74. I had no role in creating or preparing the Chyron. As I stated at my deposition, I do not know who specifically created the Chyron, but it is my understanding that as a matter of general practice, an individual working on the show that airs a television news package like mine, in this case CNN Tonight, would have created it. In my experience, pulling the text of the Chyron from the script of the news package is one of the common ways that chyrons are created. Finally, it is my understanding that for television news packages like the Report, it is standard practice for a chyron to be displayed during the entirety of the time that the package plays.

75. I have reviewed the Chyron, and I believe that it is a fair and accurate summary of my Report. As I stated at my deposition, the entire premise of the Report was based on a specific “gathering of QAnon followers,” *i.e.*, the October 2020 Q Con Live! gathering in Arizona. This is made additionally clear by the fact that within the first 20 seconds of the Report, I explicitly describe Q Con Live! as the “gathering of QAnon followers” referenced in the Chyron. Here, the words from the Chyron exactly match the Report’s script. The Report does not describe each person pictured in the Report as a “QAnon follower.” In fact, the Chyron is continuously displayed throughout my interview with Travis View, and on the original February 4, 2021, CNN Tonight broadcast, during my interview with Don Lemon, when both Mr. Lemon and I are displayed on screen. *See Ex. 1* at 3:21-3:37; 3:51-5:25.

76. Nor at any point in the Report do I reference Jack, Leslie, Lori Flynn, Valerie Flynn, Joseph Flynn, or General Flynn as a “QAnon follower.” Instead, it is clear from the entire context of the Report that the “gathering of QAnon followers” referenced in the Chyron is the Q Con Live! gathering.

77. I believed then, and I believe now, that the Chyron accurately captures the focus of the Report on Q Con Live! and does not convey that Jack, Leslie, Lori Flynn, Valerie Flynn, Joseph Flynn, or General Flynn is a “QAnon follower.”

78. To be clear, the Report was not intended to and does not accuse any member of the Flynn family of being a QAnon follower.

Subsequent Airings of the Report

79. It is my understanding that the Report later re-aired four times:

- a. On February 5, 2021, at approximately 2:48 AM as a replay of the original February 4, 2021, broadcast of CNN Tonight.
- a. On February 5, 2021, at approximately 3:49 PM on CNN Newsroom.
- b. On February 6, 2021, at approximately 7:33 AM on New Day Saturday.
- c. On February 6, 2021, at approximately 3:30 PM on CNN Newsroom.

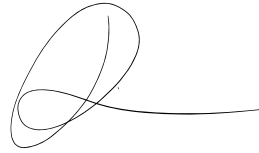
80. On June 15, 2021, I tweeted a link to the Report as it appears on YouTube with the headline “QAnon followers react to Trump refusing to condemn them.” That tweet was the last tweet in a Twitter thread I posted after Alan Hostetter, one of the individuals featured in the Report, pled not guilty to charges related to the January 6 Capitol attack. Earlier in the thread, I had posted footage of Mr. Hostetter from Q Con Live! and another news article related to Mr. Hostetter. I then posted a link to the Report and stated, “That October video [from Q Con Live!] is from this QAnon conference that I attended along with the @QanonAnonymous guys.” A true and correct copy of this June 15, 2021 tweet is attached as **Exhibit 101**.

81. I stand by the Report fully. I had no reason to doubt, nor do I now, that the Report was in line with the Row’s editorial standards, Standards and Practices, or responsible journalism practices. I had no bias, nor do I now, against General Flynn, Jack, Leslie, or anyone else in the

Report. Having since reviewed the Report as it aired with the Chyron, I maintain this view. I believed then, and believe now, that the Report was fair and accurate.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July 12th, 2023

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

Donie O'Sullivan